

Official
9/4/03 JMR

TELEFACSIMILE LETTER
FROM
PENNIE AND EDMONDS
1155 Avenue of the Americas
New York, New York 10036
Telephone Number (212) 790-9090
Fax Nos.: (212) 869-9741/8864

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: PLEASE DELIVER TO EXAMINER J. Roark

FAX NO.: 1-703-746-5174

FROM: NIKOLAOS C. GEORGE
MUNA ABU-SHAAR

PAGES: 12 + Cover Sheet

DATE: September 3, 2003

If you have any problems receiving this document, please telephone Muna Abu-Shaar at
(212) 790-6499.

Application of: Kroczek

Confirmation No. 8232

Application No.: 09/972,524

Group Art Unit: 1644

Filed: October 4, 2001

Examiner: Roark, J.

For: METHODS FOR TREATMENT OF
ASTHMATIC DISORDERS

Attorney Docket No.: 7853-240

Transmitted herewith, please find:

1. Response to Restriction Requirement and Preliminary Amendment
Under 37 C.F.R. § 1.115;
2. Statement of Applicant Regarding Permanence and Availability
of Deposited Microorganisms (copy from priority application no. 09/509,283); and
3. Copy of Certificate of Limited Recognition Under 37 C.F.R. § 10.9(b).

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on
September 3, 2003 to facsimile telephone number (703)746-5174.

Nikolaos C. George

Nikolaos C. George

39,201

(Reg. No.)

By:

Muna Abu-Shaar

Muna Abu-Shaar

Limited Recognition Under 37 C.F.R. § 10.9(b).

Copy of Certificate Enclosed

NY2: 1461123.1

Received from <212 869 9741> at 9/3/03 10:23:10 PM [Eastern Daylight Time]

official
9/4/03 JMC

Via Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	KroczeK	Confirmation No.:	8232
Serial No.:	09/972,524	Art Unit:	1644
Filed:	October 4, 2001	Examiner:	Roark, J.
For:	METHODS FOR TREATMENT OF ASTHMATIC DISORDERS	Attorney Docket No.:	7853-240

**RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY
AMENDMENT UNDER 37 C.F.R. § 1.115**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the oral restriction requirement imposed by Examiner Jessica Roark in connection with the above identified application, and in accordance with Rules 115 and 142 of the Rules of Practice, please enter the amendments made herein and consider the following remarks.

Applicant submits herewith a copy of a Statement of Applicant Regarding Permanence and Availability of Deposited Microorganisms originally submitted in connection with priority application no. 09/509,283.

It is estimated that no additional fee is necessary for filing this response. In the event an additional fee is required, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

AMENDMENTS TO THE SPECIFICATION begin on page 2 of this paper.

AMENDMENTS TO THE CLAIMS begin on page 3 of this paper.

REMARKS begin on page 5 of this paper.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on September 3, 2003 to facsimile telephone number (703)746-5174.

Nikolaos C. George

39,201

Nikolaos C. George

(Reg. No.)

By: Muna Abu-Shaar munaabu-shaar
Limited Recognition Under 37 C.F.R. § 10.9(b)
Copy of Certificate Enclosed